

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: October 19, 2004
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. Application No. (if known) <b>10/511725</b>
INTERNATIONAL APPLICATION NO.: PCT/JP03/04893	INTERNATIONAL FILING DATE: April 17, 2003	PRIORITY DATE CLAIMED: April 19, 2002
<b>TITLE OF INVENTION:</b> COMPOSITION OBTAINED FROM BARLEY SHOCHU STILLAGE AND HAVING ACTIVITY OF INHIBITING ONSET OF ALCOHOLIC HEPATOPATHY AND ACTIVITY OF HEALING IT AS WELL AS EXCELLENT PALATABILITY, AND PROCESS FOR PRODUCING THE SAME		
APPLICANT(S) FOR DO/EO/US: Toshiro OMORI, Naoki TAKESHIMA, Kei HAYASHI and Yasufumi UMEMOTO		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):         a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).        b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.        c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).        a. <input checked="" type="checkbox"/> is attached hereto.        b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))        a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).        b. <input type="checkbox"/> have been transmitted by the International Bureau.        c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.        d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<b>ITEMS 11. TO 20. BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b>		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with the international search report, PTO-1449 with 12 references.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.        ASSIGNEE NAME AND ADDRESS: (1) <u>SANWA SHURUI CO., LTD., Usa-shi, Japan; and</u>  <u>(2) BARLEY FERMENTATION TECHNOLOGIES, INC., Usa-shi, Japan</u>        Please publish the assignee data with the application.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

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21. <input checked="" type="checkbox"/> The following fees are submitted:				<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5):</b> Search Report has been prepared by the EPO or JPO: .....\$950.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482) .....\$750.00					
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....\$790.00					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$1110.00					
International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....\$100.00					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$ 950.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$ 130.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
TOTAL	28 -20 =	8	X \$ 18.00	<b>\$ 144.00</b>	
INDEPENDENT	6 - 3 =	3	X \$ 88.00	<b>\$ 264.00</b>	
Multiple dependent claims(s) (if applicable)			+ \$300.00	<b>\$ 300.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,788.00</b>	
Reduction by 1/2 for filing by small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).					
<b>SUBTOTAL =</b>				<b>\$1,788.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +					
<b>TOTAL NATIONAL FEE =</b>				<b>\$1,788.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b>					
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,788.00</b>	
				Amount to be: refunded	\$
				charged	\$

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- a.  A check in the amount of \$1,788.00 to cover the above fees is enclosed. (\$950.00 for basic filing fee; \$144.00 for 8 additional claims; \$264.00 for 3 additional independent claims; \$300.00 for multiple dependent claims and \$130.00 for late filing of the declaration).
- b.  Please charge my Deposit Account No. 50-2866 in the amount of \$\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2866.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:	<b>WESTERMAN, HATTORI, DANIELS &amp; ADRIAN, LLP</b> 1250 Connecticut Avenue, N.W. Suite 700 Washington, D.C. 20036 CUSTOMER No. 38834
Typed or Printed Name: Scott M. Daniels	Reg. No.: 32,562
Signature 	Date: October 19, 2004

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